



Neptune Township ~ Zoning Board  
Regular Hearing Minutes  
Wednesday October 2, 2013 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor  
25 Neptune Blvd.

## ATTENDANCE:

Present: Roger Eichenour, Barbara Bascom, Paul Dunlap, William Frantz, James Gilligan, Thomas Healy, Clifford Johnson, Monica Kowalski, Esq. – Board Attorney, Matt Shafai - Board Engineer, Trevor J. Taylor, PE, PP, CME - Board Planner, and State Shorthand Reporting.

Joe Sears arrived at 7:55 PM

Absent: David Fernicola, Dianna Harris, and Cynthia Suarez

## OPENING:

Meeting called to order by Roger Eichenour at 7:35 PM. Mr. Eichenour advised the public of the fire exits and how the meeting will proceed.

## RESOLUTIONS:

- a. **ZB12/04 (Partial Approval)** – Block 7000 Lot 23 submitted by Ronald Troppoli, Esq. for Irma Rojas of 27 Hillview Drive - Applicant is seeking relief for bulk variances and waiver relief in order to keep existing site improvements at the site. Please refer to the specific variances listed by Mr. Troppoli.

*Motion offered to adopt Resolution of Partial Approval made by J. Gilligan, moved and seconded by P. Dunlap*

*Those in favor: P. Dunlap, W. Frantz, J. Gilligan, C. Johnson, and R. Eichenour*

## CORRESPONDENCE:

- b. Draft of proposed meeting dates for 2014 – **Board discussed proposed dates and it was decided that the regular meetings for 2014 will be held the first Wednesday of each month at 7:30 PM with the exception of January and March. The regular meeting for January will be in the 8<sup>th</sup> after the Reorganization meeting, and the regular meeting for March will be on the 19<sup>th</sup> in lieu of the 5<sup>th</sup> because of the holiday. The proposed second or special meetings (as needed or granted) will be the third Wednesday of each month at 7:30 PM with the exception of January which will be on the 22<sup>nd</sup>. There is no second meeting proposed for the months of March, November, or December due to holidays or conflicts with other Township meetings.**
- c. Correspondence dated September 24, 2013 from Kenneth L. Pape, Esq. requesting the 509 Memorial Drive Partners, LLC application be carried. – **Application carried to January 8, 2014 – notice required for the January 8 meeting.**

## DISCUSSIONS:

**The order of the agenda was administratively changed by Chairman Eichenour as he must recuse himself from Application ZB13/12.**

\*\*\*\***ZB13/13** – Xenakis, Thomas – Block 405, Lot 49 – 526 S. Riverside Drive – Applicant proposes to demolish and replace failing retaining wall in front yard setback which will encroach into Township Right-of-Way. Township Committee adopted Resolution #13-293 Authorizing Revocable License Agreement to Permit the Replacement of the Retaining wall within the Municipal Right-of-Way on June 20, 2013.

Public notice was reviewed and the Board accepts jurisdiction.

Thomas Xenakis sworn in. He states the existing wall is failing and they would like to remediate using improved materials to avoid another wall failure. Replacing wall “in-kind” just different materials and proper drainage being provided to avoid failure.

Compliance with the Township Engineer’s Review to be a condition of approval.

Pre-existing conditions cannot be remediated without substantial loss of front yard area.

Sight triangle waiver is required with this application and will be granted if a motion is made to approve the application.

Public portion opened – no public – public portion closed.

Mr. Healy had a few questions and/or comments with regard to height of the wall near entrance to the right-of-way.

Based upon the application before the Board a motion was offered by Thomas Healy to approve the application as discussed, moved and seconded by Paul Dunlap.

**Those who voted YES:** Barbara Bascom, Paul Dunlap, William Frantz, James Gilligan, Thomas Healy, Clifford Johnson, and Roger Eichenour.

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** Joe Sears, Cynthia Suarez, David Fernicola, Dianna Harris

**\*\*Chairman Eichenour turns the meeting over to Vice Chairman Gilligan and exits the meeting room as he must recuse himself from the next application on the agenda.\*\***

\*\*\*\***ZB13/12** – Bodine, Elaine – Block 415, Lot 1 – 16 Vernon Avenue – Applicant proposes to erect 6 ft. solid vinyl fence along the side/front property line of this corner property.

Elaine Bodine is sworn in.

Ms. Kowalski reviewed the notice. The notice is proper and the Board accepts jurisdiction.

Ms. Bodine wishes to erect a 6 foot solid vinyl fence on the front/side property line of this corner lot to provide a larger back yard for her children to enjoy.

Mr. Healy questions the age of the children.

Ms. Bodine replies 9, 11, and 14.

Ms. Bascom states the questions is irrelevant and states the fence will need to be angled in order to comply with the sight triangle ordinance.

Mr. Dunlap discusses board-on-board fence. Board Engineer - Mr. Shafai – states board-on-board fence is still deemed a “solid” fence.

Mr. Healy states he is inclined to be a bit more liberal with this application because it is on a cul-de-sac.

Meeting opened to the public – no public – public portion closed.

Based upon the application before the Board a motion was offered by Barbara Bascom to APPROVE THE APPLICATION SUBJECT TO THE APPLICANT AGREEING TO PLACE THE 6 FOOT SOLID FENCE 10 FEET FROM THE PROPERTY LINE WITH PLANTINGS, moved and seconded by Clifford Johnson.

**Those who voted YES:** Barbara Bascom and Clifford Johnson

**Those who voted NO:** Paul Dunlap, William Frantz, James Gilligan, Thomas Healy

**Those who ABSTAINED:** None.

**Those ABSENT:** Joe Sears (arrived at 7:55 PM, ineligible to vote), Roger Eichenour, Cynthia Suarez, David Fericola, Dianna Harris

#### **MOTION FAILED...**

Based upon further discussion of the application before the Board a motion was offered by James Gilligan to APPROVE THE APPLICATION SUBJECT TO THE APPLICANT AGREEING TO PLACE THE 6 FOOT SOLID FENCE 5 FEET FROM THE PROPERTY LINE WITH ANGLED PIECE AT DRIVEWAY APPROXIMATELY 7 FEET 3 INCHES TO MEET SIGHT TRIANGLE REQUIREMENTS WITH PLANTINGS, moved and seconded by Thomas Healy.

**Those who voted YES:** Barbara Bascom, Paul Dunlap, William Frantz, James Gilligan, Thomas Healy, and Clifford Johnson

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** Joe Sears (arrived at 7:55 PM, ineligible to vote), Roger Eichenour, Cynthia Suarez, David Fericola, Dianna Harris

\*\*\*\***ZB13/06** – Jersey Shore University Hospital (B3000/L1.01, 1.02, & 8) – 1945 Corlies & 81 Davis Aves - Applicant proposing to install six wall mounted signs and two freestanding signs across 3 separate lots.

**APPLICATION WAS PARTIALLY APPROVED ON JULY 3, 2013 AND WAS CARRIED TO THIS DATE FOR THE SUBMISSION OF REVISED PLANS FOR FURTHER REVIEW OF THE DAVIS AVENUE SIGN. PLANS WERE NEVER RECEIVED BY THE BOARD OFFICE AND APPLICANT DID NOT APPEAR FOR THIS HEARING; THEREFORE, THE BOARD MUST ADMINISTRATIVELY DISMISS THIS APPLICATION UNTIL SUCH TIME AS A PROPER ZONING DETERMINATION IS PROVIDED FOR THE NEW PROPOSAL AND SUBMITTED TO THE BOARD OFFICE ALONG WITH THE REVISED PLANS, AT WHICH TIME A NEW HEARING DATE WILL BE ASSIGNED AND NOTICE WILL BE REQUIRED FOR THE NEW HEARING DATE.**

\*\*\*\***ZB13/11** – 509 Memorial Drive Partners, LLC – Block 163, Lots 53-57 & 59 - Intersection of Memorial Drive and Seventh Ave – Seeking Preliminary and Final Site Plan approval for residential development consistent with previous ZBA Use Variance relief granted January 30, 2013.

**APPLICATION TO BE CARRIED TO JANUARY 8, 2014 – NOTICE WILL BE REQUIRED FOR THE MEETING AS NOTICE WAS NOT PROVIDED FOR THIS MEETING OF OCTOBER 2, 2013.**

**ADJOURNMENT:**

A motion was made by Paul Dunlap and seconded by William Frantz to adjourn at 8:30 PM. The next scheduled hearing will be on November 6, 2013 at 7:30 PM. All in favor.

Minutes submitted by Kristie Armour, Secretary.